



07-02-04

1614 IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JAMES CHEN

Serial No.: 09/905,777

Confirmation No.: 5768

Filed: July 13, 2001

For: **NONINVASIVE VASCULAR THERAPY**

Customer No.: 20985

Art Unit: 1614

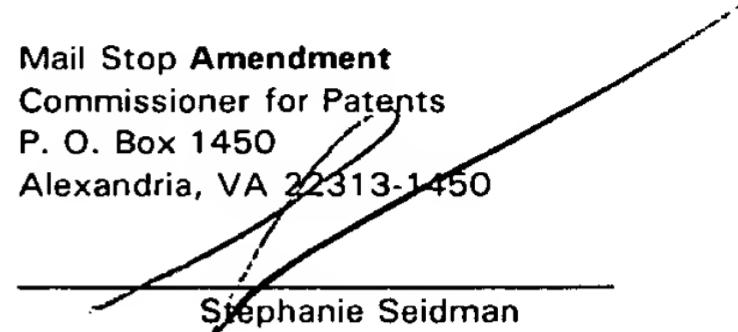
Examiner: Kwon, Brian Tong S.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.: EV 399295213 US
Date of Deposit: June 30, 2004

I hereby certify that this paper and the attached papers are being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and addressed to:

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450


Stephanie Seidman

TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

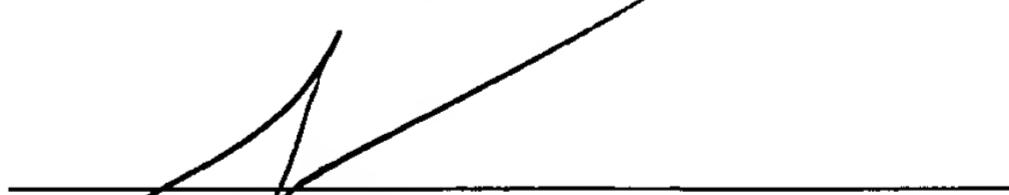
Dear Sir:

Transmitted herewith are an Election and Preliminary Amendment (10 pages), responsive to the Office Action, mailed on June 1, 2004; a Change of Correspondence Address (Form PTO-SB-122); and a return postcard, for filing in connection with the above-referenced application. If a Petition for extension of time is needed, this paper is to be considered such Petition.

The Commissioner is hereby authorized to charge any fees, including the fee for the extension of time, that may be due in connection with this and the attached papers or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,
FISH & RICHARDSON P.C.

By:


Stephanie Seidman
Registration No. 33, 779

Attorney Docket No. 17105-021001 (25886-0057)

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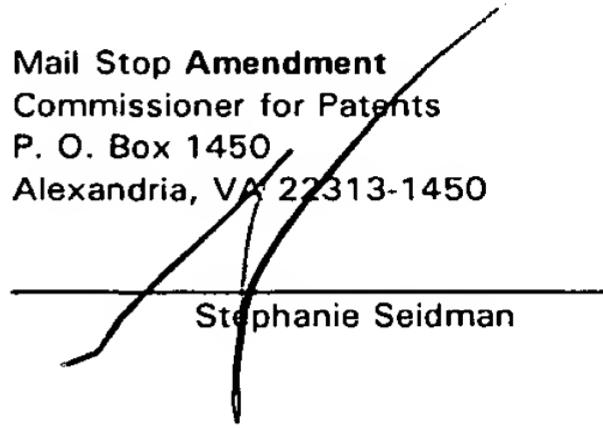
Examiner: Unassigned

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Stephanie Seidman

ELECTION AND PRELIMINARY AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Requirement for Restriction, mailed June 1, 2004, applicant elects, without traverse, Group I, which includes claims 1-21, drawn to a process of destroying or impairing target cells that comprise a lesion in a vascular system, for examination on the merits.

Preliminary to the examination of the above-captioned application, please amend the application as follows.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 6 of this paper.

Remarks begin on page 10 of this paper.